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DAILY BRIEFING

October 18, 2004

## TSA revamps annual screener recertification tests

By Chris Strohm  
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The Transportation Security Administration is testing and recertifying its workforce of about 45,000 airport passenger and baggage screeners.

The second annual screener recertification program began last month and will run through June 2005, according to Peter Marcello, TSA's recertification program manager. Under the program, screeners must prove their proficiency using X-ray and explosive detection machines, and perform a physical demonstration of passenger and baggage screening skills.

The agency spent months retooling the recertification program to avoid problems that plagued the first annual tests, which wrapped up in May, said Elizabeth Kolmstetter, TSA's acting assistant administrator for workforce performance and training.



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**November 2, 2004**

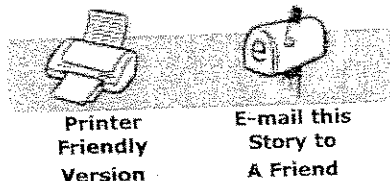
### Airport screeners allege discrimination in recertification tests

By Chris Strohm  
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An organization representing airport screeners is alleging that recertification tests discriminate against workers with medical disabilities and should be suspended until necessary modifications are made.

The recertification tests discriminate against screeners based on their age, race or disability, according to a complaint filed last week with the Justice Department by the Metropolitan Airport Workers Association, which is based in New York, but represents screeners nationwide. The complaint was filed against the Transportation Security Administration and two contractors.

In a statement Monday, TSA said that screeners must be medically and physically able to perform their duties. The agency has required screeners to meet validated medical duties since March 2002, when the federal screener workforce was created.



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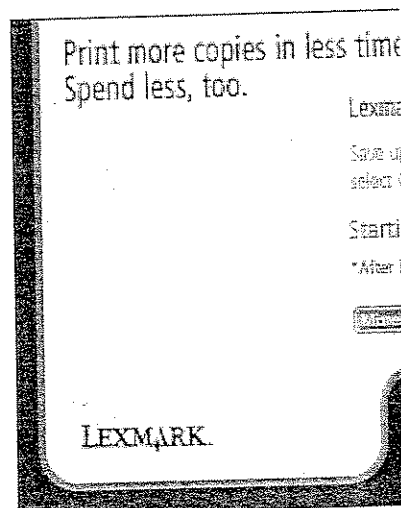
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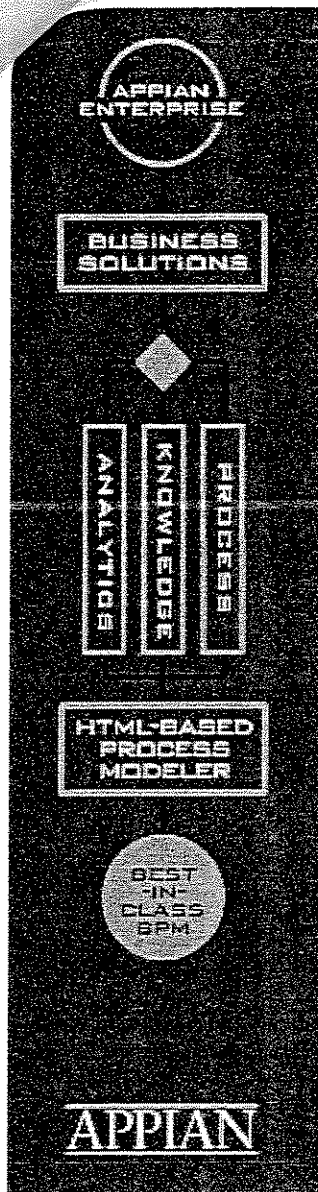
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"All screeners had to meet these standards upon hire and are required to meet those standards in order to safely perform the critical of the screener position," TSA said.

The recertification program runs until June and has three test modules. In the program, screeners must prove their proficiency using X-ray machines, using and explosive detection machines, and performing a physical demonstration of passenger and baggage screening skills. TSA renewed its contract with Lockheed Martin for \$20 million to conduct the physical evaluation of screeners' skills.

Confusion exists, however, over how medical information is used in the recertification program.

TSA said it is developing a new module for the recertification program that will specifically evaluate the ability of screeners to meet medical standards. The new module is not in place yet because the agency hasn't received the funds to implement it.

"TSA has been working on adding a module to the recertification program that will ensure screeners meet the medical standards for the position," TSA said. "The new module will require contractor support, thus we will need to identify the funding."

The handbook for this year's recertification program, however, includes a section called "Medical Standards Evaluation." Portions of the handbook state that medical information factors into the recertification program and that it determines, in part, whether screeners pass or fail.

"For FY 04-05, screeners will be asked to complete a medical questionnaire and get further assessment if their medical condition requires additional evaluation," the handbook states.

The "Frequently Asked Questions" section of the handbook states that the medical standards evaluation is involved in the recertification process. A flow chart indicates that a medical standards evaluation is a component of the recertification program. According to the chart, if a screener passes the modules and receives a rating of acceptable or above on his or her performance assessment but does not meet the screener medical guidelines because of a medical condition that is permanent, then the screener is removed from employment.

Bob Marchetta, MAWA's director of administration, claimed the n



portion of the tests violate up to four federal laws, including the 19 Americans with Disabilities Act and the 1974 Privacy Act.

MAWA's complaint alleges that TSA and Lockheed Martin are discriminating against screeners by administering the tests. MAWA meeting with officials from the federal agency and Lockheed Martin criteria for the tests.

In the complaint, MAWA says that screeners who have been suspended based on the medical portion of the tests should be immediately reinstated.

Lockheed Martin spokeswoman Jeanine Zeitvogel said the company "received official notification about this complaint, so we have not about it at this time nor can we speculate on the content."

In some cases, Marchetta said, the recertification tests do not make accommodations for screeners with medical disabilities.

"You might have a problem in a certain area where you need certain accommodations," he said. "To not have this means you run the risk of performing poorly and being fired."

MAWA also filed eight complaints during the past two weeks with the Office of Civil Rights over the recertification tests, Marchetta added.

TSA said it is in compliance with appropriate laws. "Also, to the extent possible, we make adjustments for screeners who are temporarily impaired," the agency said. "We review each individual situation, taking certain factors into consideration, such as the prognosis for recovery, whether the screener is or will be, able to effectively perform the full range of screener duties without compromising security, and the operational feasibility of any accommodation."

"If a screener cannot perform all necessary security screening functions, whether due to a medical condition or for some other reason, such as substandard performance, we cannot retain that individual as a screener," the agency statement added. "Whether that individual can be employed in the agency generally depends on factors such as TSA's operational needs and the availability of vacant positions for which the individual is qualified."